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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,929

09/24/2003

Bruce Nappi

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FISH & RICHARDSON PC

P.O. BOX 1022

MINNEAPOLIS, MN 55440-1022

EXAMINER

NORMAN, SAMICA L

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

09/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/669,929

Applicant(s)

NAPPI, BRUCE

Examiner

Samica L. Norman

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20030924</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-35 in the phone reply on June 6, 2007 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Regarding claim 20, it is unclear as to what/whose account "the account" is referring to in line 3. For examination purposes, Examiner will interpret "the account" as the enterprise or purchaser's account.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3-19, 21, 22, 24 and 26-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Wells et al., U.S. PG-Pub No. 2003/0110136 (reference A on the attached PTO-892).
7. As per claim 1, Wells et al. teaches a method comprising maintaining a financial account that represents value, on behalf of an account holder, the financial account having a plurality of account identifiers that in the account, or a party that presents a general account identifier to effect both debit and credit transactions in the account (see paragraph 0016, lines 5-10 and paragraph 0017, lines 2-6), and permitting a third party to effect a credit transaction in the account by presenting a credit identifier, which is an identifier different from the debit or general account identifiers, the credit identifier being insufficient to enable a third party to effect a debit transaction in the account (see paragraph 0017, lines 11-14).
8. As per claim 3, Wells et al. teaches the method of claim 1 as described above. Wells et al. further teaches the financial account comprises an account maintained by a banking institution (see paragraph 0041, lines 7-13).
9. As per claim 4, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the account holder comprises an enterprise (see paragraph 0032, lines 1-5 and paragraph 0034, lines 3-6).

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10. As per claim 5, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the third party comprises a purchaser of goods or services and the credit transaction effects payment for the goods or services (see paragraph 0062, lines 12-16, paragraph 0064 and 0069).

11. As per claim 6, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the third party comprises a payment processing service (see paragraph 0038, lines 1-7).

12. As per claim 7, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the credit identifier comprises a string of characters (see paragraph 0036, lines 8-13).

13. As per claim 8, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the debit identifier or general identifier is associated uniquely with the account (see paragraph 0035, lines 4-7).

14. As per claim 9, Wells et al. the method of claim 8 as described above. Wells et al. further teaches the debit or general identifiers may be plural (see paragraph 0036, lines 13-15).

15. As per claim 10, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the credit identifier may be plural (see paragraph 0036, lines 1-6).

16. As per claim 11, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the debit identifier comprises an account number (see paragraph 0072, lines 5-8).

17. As per claim 12, Wells et al. the method of claim 1 as described above. Wells et al. further teaches the credit transaction is associated with a commercial transaction (see paragraph 0016, lines 10-12).

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18. As per claim 13, Wells et al. the method of claim 12 as described above. Wells et al. further teaches the credit identifier is associated with an aspect of the commercial transaction (see paragraph 0110, lines 3-9).

19. As per claim 14, Wells et al. the method of claim 13 as described above. Wells et al. further teaches the aspect of the commercial transaction comprises an identity of a commodity (see paragraph 0109, lines 1-6).

20. As per claim 15, Wells et al. the method of claim 13 as described above. Wells et al. further teaches the aspect of the commercial transaction comprises a context of the commercial transaction (see paragraph 0109, lines 1-6).

21. As per claim 16, the method of claim 15 as described above. Wells et al. further teaches the credit identifier is unique only with respect to the context in which the commercial transaction occurs (see paragraph 0110, lines 3-9 and paragraph 0114).

22. As per claim 17, Wells et al. the method of claim 15 as described above. Wells et al. further teaches the context of the commercial transaction comprises a physical location (see paragraph 0109, lines 1-6).

23. As per claim 18, Wells et al. the method of claim 15 as described above. Wells et al. further teaches the context of the commercial transaction comprises an identity of a vendor of a commodity (see paragraph 0109, lines 1-6).

24. As per claim 19, Wells et al. teaches a method comprising maintaining a financial account that represents value, on behalf of an account holder (see paragraph 0016, lines 5-10 and paragraph 0017, lines 2-6), and effecting a credit transaction in the account in response to a

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mechanism invoked by a third party, the mechanism alone being insufficient for the third party to effect a debit transaction in the account (see paragraph 0017, lines 11-14).

25. As per claim 21, Wells et al. teaches a method comprising accepting from one party a proposed credit transaction to be effected in a financial account of an account holder (see paragraph 0016, lines 5-10 and paragraph 0017, lines 2-6), and forwarding the proposed credit transaction using a mechanism that is sufficient to effect a credit transaction in the account but is not sufficient to effect a debit transaction in the account (see paragraph 0017, lines 11-14).

26. As per claim 22, Wells et al. the method of claim 21 as described above. Wells et al. further teaches the mechanism is associated with a credit identifier (see paragraph 0017, lines 11-14).

27. As per claim 24, Wells et al. the method of claim 21 as described above. Wells et al. further teaches the financial account comprises an account maintained by a banking institution (see paragraph 0041, lines 7-13).

28. As per claim 26, Wells et al. the method of claim 25 as described above. Wells et al. further teaches the proposed credit transaction is accepted by the merchant and forwarded to an institution that maintains the financial account (see paragraph 0018, lines 1-5 and paragraph 0041, lines 7-13).

29. As per claim 27, Wells et al. the method of claim 21 as described above. Wells et al. further teaches the one party comprises a purchaser of goods or services and the credit transaction effects payment for the goods or services (see paragraph 0062, lines 12-16, paragraph 0064 and 0069).

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30. As per claim 28, Wells et al. the method of claim 22 as described above. Wells et al. further teaches the credit identifier comprises a string of characters (see paragraph 0036, lines 8-13).

31. As per claim 29, Wells et al. the method of claim 21 as described above. Wells et al. further teaches the credit transaction is associated with a commercial transaction (see paragraph 0016, lines 10-12).

32. As per claim 30, Wells et al. the method of claim 29 as described above. Wells et al. further teaches the mechanism is associated with the credit identifier and the credit transaction is associated with an aspect of the commercial transaction (see paragraph 0016, lines 10-12 and paragraph 0110, lines 3-9).

33. As per claim 31, Wells et al. the method of claim 30 as described above. Wells et al. further teaches the aspect of the commercial transaction comprises an identity of a commodity (see paragraph 0109, lines 1-6).

34. As per claim 32, Wells et al. the method of claim 30 as described above. Wells et al. further teaches the aspect of the commercial transaction comprises a context of the commercial transaction (see paragraph 0109, lines 1-6).

35. As per claim 33, Wells et al. the method of claim 32 as described above. Wells et al. further teaches the credit identifier is unique only with respect to the context in which the commercial transaction occurs (see paragraph 0110, lines 3-9 and paragraph 0114).

36. As per claim 34, Wells et al. the method of claim 32 as described above. Wells et al. further teaches the context of the commercial transaction comprises a physical location at which goods or services are offered for sale to the one party (see paragraph 0109, lines 1-6).

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37. As per claim 35, Wells et al. the method of claim 32 as described above. Wells et al. further teaches the context of the commercial transaction comprises an identity of a vendor of goods or services (see paragraph 0109, lines 1-6).

38. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Winig, "Cracking the Code" (reference U on the attached PTO-892).

39. As per claim 20, Winig teaches method comprising maintaining, at a financial institution, a financial account for a merchant, the financial account being identified by an account identifier that enables the merchant to withdraw funds from the account (see paragraph 5 and 10), and permitting credit transactions with the account by a third party based on a credit identifier from which the account identifier cannot be determined (see paragraph 7).

Claim Rejections - 35 USC § 103

40. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

41. Claims 2, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells et al., U.S. PG-Pub No. 2003/0110136 (reference A on the attached PTO-892) in view of Winig, "Cracking the Code" (reference U on the attached PTO-892).

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42. As per claim 2, Wells et al. the method of claim 1 as described above. Wells fails to teach including making the credit identifier publicly accessible. Winig teaches including making the credit identifier publicly accessible (see paragraph 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the method of Wells et al. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of not having to reveal account or routing numbers (see paragraph 6 of Winig).

43. As per claim 23, Wells et al. the method of claim 22 as described above. Wells fails to teach including making the credit identifier publicly accessible. Winig teaches including making the credit identifier publicly accessible (see paragraph 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the method of Wells et al. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of not having to reveal account or routing numbers (see paragraph 6 of Winig).

44. As per claim 25, Wells et al. the method of claim 21 as described above. Wells fails to teach the account holder comprises a merchant. Winig teaches the account holder comprises a merchant (see paragraph 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the method of Wells et al. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of eliminating the need to reveal bank information to unknown parties (see paragraph 8 of Winig).

Conclusion

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. D'Agostino, U.S. PG-Pub No. 2002/0120587 (reference B on the attached PTO-892) teaches a method and system for performing secure user account purchases. Card News, "American Express Debut One-Time Use Card Numbers to Cut On-Line Fraud" (reference V on the attached PTO-892), teaches generating a unique number to be used to make a purchase.

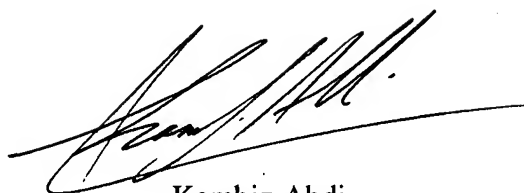
46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samica L. Norman whose telephone number is (571) 270-1371. The examiner can normally be reached on Mon-Thur 6:30a-4p, w/ 1st Fri off & 2nd 6:30a-3p.

47. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

48. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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sln

A handwritten signature in black ink, appearing to read 'Kambiz Abdi', with a long horizontal flourish extending to the right.

Kambiz Abdi
Supervisory Patent Examiner